उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(18)

**मामला क्रमांक ..... सन् 200**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश |
|---|---|---|

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**M.A. [c] No.9 of 2006**

APPELLANT
Claimant

Santosh Kumar Sahu, S/o Sonu Ram Sahu, Aged about 31 years, R/o Vill. Jaraida, Post Farfaud, P.S. Arang, Tah. & Distt. Raipur (C.G.)

Vs

RESPONDENTS
Non-applicants

1. Rup Ram Sahu, S/o Budhu Ram Sahu, R/o Vill. Jaraud, Post Farfaud, P.S. Arang, Tah. & Dist. Raipur (C.G.)
2. Bajaj Allianz General Insurance Co. Ltd. By Branch Manager, Chauhan Complex, Near Rajkumar College, Raipur, Tah. & Distt. Raipur (C.G.).

Mr. S.C. Verma, Adv. for the appellant.

Mr. V. Rathore, Adv. on behalf of Mr. M.K. Bhaduri, Adv. for respondent No.1

Mr. S.S. Rajput, Adv. for respondent No.2.

**ORAL ORDER**
**(2.5.2007)**

**Per Dhirendra Mishra, J**

Heard on M.C.P. No.1346/2006, application for condonation of delay, as the appeal has been preferred with a delay of 80 days, as per office note dated 31.3.2006.

GRPRJ — FS/246— 2/2007 — 50,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(19)

**मामला क्रमांक ..... सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

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|---|---|---|
| | The reasons assigned for filing this appeal with a delay of 80 days is that the appellant was unaware of the legal position that the appeal is to be filed within a particular period. This ground is not sufficient to condone the delay. Even otherwise, the appeal is by the claimant for enhancement of the award, as the appellant has been awarded a compensation of Rs.5,000/- towards injuries sustained by him in the motor vehicle accident.<br><br>From perusal of Para 9 of the award it is observed that the tribunal after considering the evidence available on record and particularly considering the fact that no documentary or oral evidence has been produced by the appellant before the tribunal to establish that he sustained grievous injuries such as fracture of ribs, shoulder bone etc and no medical treatment papers have been filed, the claim of the claimant has been negated and award of Rs.5000/- has been passed.<br><br>In view of the above, I do not find any illegality or infirmity in the impugned award passed by the tribunal, the appeal being devoid of any substance is liable to be dismissed and it is hereby dismissed.<br><br>**Sd/-**<br>**Dhirendra Mishra**<br>**Judge** | |

Roshan/-

GRPRJ — FS/246— 2/2007 — 50,000.